

The infant defendants *Richard* and *Ann*, an the 10th of April, 1810, answering by their guardian *ad litem*, admitted the allegations and matters set forth in the bill of complaint. And the defendant *Cook*, by his answer, filed on the 28th of June, 1810, admitted the truth of the allegations of the bill, and that the personal estate of the deceased was insufficient to pay his debts.

30th June, 1810.—KILTY, Chancellor.—Decreed, that the property in the proceedings mentioned be sold, that *James Cook* be, and he is hereby appointed trustee for making the said sale, &c., the one-half of the purchase money to be paid in one year, and the residue in three equal annual payments, with interest from the day of sale, &c.

Under this decree, the trustee reported, that on the 24th day of September, 1810, he sold, subject to the dower of his widow, the real estate of the intestate to *Jeremiah Booth*, consisting of 397½ acres of land, at \$28 50 per acre; and an undivided half of a lot of land whereon a warehouse stood, for \$1,000; amounting altogether to £4,623 5s. 7½d.; which sale, after the usual order *nisi*, was, on the 17th of June, 1812, absolutely ratified and confirmed.

On the 30th of July, 1812, the auditor reported, that he had stated sixteen claims of creditors, including that of the plaintiff as No. 5, exhibited against the estate of the deceased *Richard Jordan*, amounting to £1,720 12s. 2½d., including interest thereon to the day of sale, to some of which he stated objections; and that after the payment of the trustee's commission and costs, and the full amount of the claims, there remained a surplus of £619 16s. 2½d. out of the money received by the trustee.

30th July, 1812.—KILTY, Chancellor.—Ordered, that the statement of the claims reported by the auditor, which are not objected to by him, be confirmed, and paid by the trustee with interest thereon, in proportion as the same has been or may be received; and that the commission be retained with interest in like manner; and the costs paid to the sheriff, register, and auditor. The claims No. 9, 14, 15, and the claim of *James Thompson*, to stand for further proof.

On the petition of *James Dall & Co.*, their claim No. 10, was restated by the auditor to rectify a mistake which had been made to their prejudice. And on the 12th of January, 1813, the trustee was directed to report what further proceeds of sale he had received; and to pay away no part thereof until further order.